

CALFEE, HALTER & GRISWOLD LLP

Docket No. 22310/04020

**DECLARATION
AND POWER OF ATTORNEY**
ORIGINAL APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the first, original and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SURGICAL TOOLS

the specification of which

- is attached hereto,
- was filed on October 30, 2001
- as Application Serial No. 10/009,915
- and was amended on _____.
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim the benefit of foreign priority under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

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(Number)	(Country)	(Day/Month/Year)	<hr style="width: 50px; border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Yes <hr style="width: 50px; border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> No

We hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/US00/11943</u>	<u>May 11, 2000</u>	<u>Pending</u>
Application Serial #)	(Filing Date)	(Status)

We hereby claim the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

<u>60/131,811</u>	<u>April 30, 1999</u>
(Provisional Application No.)	(Filing Date)

We hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements and the like may jeopardize the validity of the application or any patent issued thereon.

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or first inventor

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Inventor's
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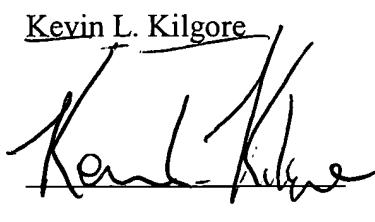
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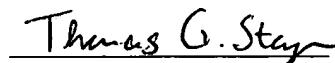
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